



Nepal

International Religious Freedom Report 2005

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The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Constitution describes the country as a "Hindu Kingdom," although it does not establish Hinduism as the state religion. The Government generally did not interfere with the practice of other religions and religious tolerance is broadly practiced; however, there are some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. Although King Gyanendra dismissed Prime Minister Sher Bahadur Deuba in February and assumed control of the Government within the context of the ongoing Maoist insurgency, his actions did not specifically affect freedom of religion.

Proselytism is prohibited.

Members of minority religions occasionally report police harassment.

Authorities restricted most public celebrations by the Tibetan community, limiting their locations. In January, the Government closed two unregistered offices in Kathmandu associated with the Dalai Lama, the exiled Tibetan spiritual leader. The Government claimed it closed the offices because they had not complied with the law requiring the registration of all non-governmental organizations.

The generally amicable relationship among religions in society contributed to religious freedom. Adherents of the country's many religions generally coexist peacefully and respect all places of worship. Those who convert to other religions may face isolated incidents of violence and sometimes are ostracized socially, but generally they do not fear to admit their affiliations in public.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Embassy maintains regular contact with Hindu, Christian, Buddhist, Jewish, and other religious groups.

Section I. Religious Demography

The country has an area of 54,363 square miles, and its population is approximately 24.8 million. Hindus constitute an estimated 81 percent of the population; Buddhists, 11 percent; Muslims, 4.2 percent; and practitioners of Kirant (an indigenous animist religion) and others, 4 percent, of which 0.45 percent are Christian. Christian denominations are few but growing. Christian leaders estimate the number of Christians at approximately 400,000. Press reports indicate that 170 Christian churches operate in Kathmandu alone. The growth of other religious groups is harder to document because the last census was taken in 2001.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion and permits the practice of all religions; however, there are some restrictions. The Constitution describes the country as a "Hindu Kingdom," although it does not establish Hinduism as the state religion.

For decades dozens of Christian missionary hospitals, welfare organizations, and schools have operated in the country. These organizations have not proselytized and have otherwise operated freely. Missionary schools are among the most respected institutions of secondary education; many members of the governing and business elite graduated from Jesuit high schools. Many foreign Christian organizations have direct ties to churches and sponsor pastors for religious training abroad. After the death of Pope John Paul II, the Government ordered flags flown at half-staff for one day out of respect for the Pope.

Some holy days, most of them Hindu, are recognized as national holidays. These are Mahashivaratri, Buddha Jayanti, Falgun Purnima, Krishna Asthami, Dasain, and Tihar.

Public schools do not teach religion.

The Government has no formal policy on interfaith understanding.

In view of the illegality of proselytizing, there are officially no foreign missionaries.

Restrictions on Religious Freedom

The law prohibits converting others and proselytizing; these activities are punishable by fines, imprisonment, or, for foreigners, expulsion from the country. However, personal conversion is allowed.

Members of minority religions occasionally complain of police harassment. Some Christian groups are concerned that the ban on proselytizing limits the expression of non-Hindu religious belief. The Government investigates reports of proselytizing. There were no incidents of punishment for conversion or proselytizing during the reporting period. On April 27, police arrested a couple and investigated them for reports of forcibly converting children; the police released them on May 9. Nongovernmental organizations (NGOs) or individuals were free to file charges of proselytizing against individuals or organizations.

Christian groups report that government officials refuse to register any religious organizations whose titles contain the words, "Jesus, Bible, Christian, or Church." These groups note that, unless registered, such organizations cannot own land, important for establishing churches or burial of members. However, by removing the Christian words from their titles, some groups have registered their organizations and practiced their faith. Some Christians bury their dead in Christian cemeteries in Kathmandu and some other areas around the country, and others use cremation. Civil servants can take off religious holidays and celebrate them on private property without government interference.

Tibetan Buddhists have faced various restrictions on their celebrations. Local authorities generally restrict celebration of Tibetan religious festivals to private property. Police in Kathmandu prohibited Tibetans celebrating the New Year from carrying pictures of the Dalai Lama, the exiled Tibetan spiritual leader, around the Bhouddhanath stupa as part of religious ceremonies. The Government restricted to private places (school grounds or inside monasteries) all of the local Tibetan celebrations (Tibetan New Year, the Dalai Lama's birthday, Democracy Day, and International Human Rights Day/Celebration of the Dalai Lama receiving the Nobel Peace Prize). In January, the Government closed two unregistered offices in Kathmandu associated with the Dalai Lama: the office of the Dalai Lama's representative and the Tibetan Refugee Welfare Office. The welfare office looks after more than 20,000 Tibetan refugees who left their homeland after the Dalai Lama fled Tibet in 1959. The Government claimed it closed the offices because they did not comply with the law requiring the registration of all NGOs, religious or otherwise, and the welfare office was in the process of registering with the government so as to comply with the law. The Government has allowed other organizations and individuals to continue looking after the refugees in the interim.

Muslim religious schools, or madrassahs, but not mosques, must register with local District Administration Offices (part of the Home Ministry) and supply information about their funding sources in order to continue operation; they receive no government funding. Some Muslim leaders criticized the move as discriminatory. However, the registration requirement has not been enforced. Muslims are not restricted from participating in the Hajj, though the government does not subsidize the pilgrimage. As with Christians, Muslim civil servants can take off religious holidays and celebrate them on private property without government interference.

The Constitution prohibits discrimination on the basis of caste; however, the caste system strongly influences society. While the Government has stressed that caste-based discrimination is illegal and temple access for "lower castes" has improved in some areas, caste discrimination remains frequently practiced at Hindu temples, which some Hindu priests do not let untouchables enter. Lower castes also experience discrimination in many other areas of life, including education, employment, and marriage. Other religious communities do not practice caste discrimination. Entrance to many Hindu temples is often restricted for persons not of South Asian ethnicity, who are unlikely to be Hindu. The Press and Publications Act prohibits the publication of materials that create animosity among persons of different castes or religions.

On September 1, 2004, after an Iraqi militant group killed 12 Nepalese expatriate workers in Iraq, mob violence in Kathmandu and other areas of the country targeted mosques and Muslim businesses as well as manpower agencies and press houses. Seven persons were killed, four by mob violence because they were or were believed to be Muslim. Immediately following the riots, Nepal's Prime Minister made a nationwide address calling on citizens to eschew communal violence and maintain religious harmony. A government investigation resulted in no arrests, but the Government compensated affected manpower agencies.

Parents are not prevented from teaching their religion of choice to children, who may live a religious life.

There are no restrictions on the selling or possession of religious literature.

There are no laws that apply only to certain religious groups.

Religion-affiliated political parties are restricted to the extent that Article 113.3 of the 1991 Constitution states that the Election Commission shall not register any political organization or party that discriminates for membership against any citizen on the basis of religion, caste, tribe, language, or sex or that has a name, insignia, flag, or objective that is religious or communal or tends to fragment the country.

There were no reports of religious prisoners or detainees.

During the period covered by this report, Maoist insurgents restricted religious freedom in parts of the country. There were regular reports of Maoists enforcing a "people's calendar" in schools that did not allow for religious holidays. According to one Christian organization, Maoists began demanding the use of church grounds for their indoctrination programs in eastern areas. When the demands were refused, Maoists forced churches to close.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

The Communist Party of Nepal (Maoist) is a designated terrorist organization under the "Terrorist Exclusion List" of the Immigration and Nationality Act and under Executive Order 13224.

There were scattered reports of Maoist insurgents attacking Hindu temples and harassing Hindu priests during the reporting period.

On May 17, 2004, a group of Maoists abducted a Royal Nepal Army priest from Ramechhap District.

On September 12, 2004, Maoists exploded a bomb and forced the closure of St. Joseph's school in Pokhara. The school's 551 students mostly were from underprivileged ethnic communities.

In September 2004, Maoist threats prompted the temporary closing of 21 churches in Sankhuwasabha District.

On December 29, 2004, Maoists shot dead Arun Budhathoki, Chief of Shiva Shena Nepal, a Hindu religious organization, in Nepalgunj, Banke District.

In May 2005, Narayan Pokharel, president of the Nepal branch of the World Hindu Council, was killed in the district of Rupandehi, approximately 300 kilometers (175 miles) from Kathmandu. Although no one has acknowledged responsibility, police suspect the involvement of Maoist rebels.

In addition to attacking regular schools, Maoists reportedly attacked Christian schools, orphanages, and homes in efforts to forcibly conscript children.

Section III. Societal Attitudes

Adherents of the country's many religions generally coexist peacefully and respect all places of worship. Most Hindus respect the many Buddhist shrines located throughout the country; Buddhists accord Hindu shrines the same respect. Buddha's birthplace is an important pilgrimage site, and his birthday is a national holiday. Subsequent to the communal rioting following the September 11 slaying by extremists of 12 Nepalese expatriate workers in Iraq, leaders of multiple faiths organized a rally in Kathmandu and called on their followers to maintain religious harmony.

Some Christian groups report that Hindu extremism has increased in recent years. Of particular concern are the Nepalese affiliates of the India-based Hindu political party Shiv Sena, locally known as Pashupati Sena, Shiv Sena Nepal, and Nepal Shivesena. Government policy does not support Hindu extremism, although some political figures have made public statements critical of Christian missionary activities. Some citizens are wary of proselytizing and conversion by Christians and view the growth of Christianity with concern. There are unconfirmed reports that Maoists suppressed religious observance in areas under their control through intimidation and harassment.

Those who choose to convert to other religions, in particular Hindu citizens who convert to Islam or Christianity, sometimes are ostracized socially. They may face isolated incidents of hostility or discrimination from Hindu extremist groups. Some reportedly have been forced to leave their villages. While this prejudice is not systematic, it can be vehement and occasionally violent. Nevertheless, converts generally are not afraid to admit in public their new religious affiliations.

Although such discrimination is prohibited by the Constitution, the caste system strongly influences society. Societal

discrimination against members of lower castes and untouchables remains widespread and persistent. In December 2004, approximately a dozen persons were injured in a scuffle when the management committee of a Hindu temple in Chitwan District tried to stop "low caste" persons from entering the temple. Such incidents occurred despite the Government's efforts to protect the rights of disadvantaged castes. In March 2002, the Government constituted a National Dalit Commission charged with protecting and promoting dalit (formerly called "untouchable") rights and ensuring active participation of the dalit community in the development of the country by uplifting and developing all the dalits. The Commission devises legal and policy arrangements for dalit rights, makes recommendations to implement international documents to which the country is a party, monitors and coordinates NGOs on efforts to uplift dalits, and launches programs on social awareness to end social discrimination and untouchability.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Embassy maintains contact with Hindu, Christian, Buddhist, Jewish, Muslim and other religious groups. The Embassy monitors closely religious freedom and raises the issue with the Government when appropriate. In March, the Embassy sponsored the monk in charge of Sangharam Bhikkhu Buddhist Training Center in Kathmandu for an International Visitor program in the United States entitled Religious Diversity in America.

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[International Religious Freedom Report Home Page](#)